

HOUSE BILL 9 of the Second Extraordinary Session
By Scroggs

AN ACT to amend Tennessee Code Annotated, Section 8-21-1001; Section 66-24-101; Section 71-5-116 and Section 71-5-110, relative to assessing a fee to certain TennCare applicants for certain purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-5-110, is amended by adding the following language as a new subsection (c):

(c) (1) Each applicant for TennCare enrollment due to such person's status as uninsured or uninsurable whose income is above the federal poverty level shall be charged a two dollar (\$2.00) application fee to be used in the manner provided in subdivision (2). In addition, as provided in subdivision (2), if a person's application is approved, such person must reapply annually thereafter and pay a two dollar (\$2.00) application fee at such time.

(2)(A) If such person's application for enrollment is approved the person shall be approved for enrollment in TennCare for a period of twelve (12) months. The amount of annual premium due and payable by such enrollee shall become a lien, in favor of the state of Tennessee, on real property which is owned by such person or in which such person has an interest. Provided, however, if during such twelve (12) month period the applicant presents proof to the bureau of TennCare that the applicant has obtained insurance coverage either through an employer or otherwise, the lien shall only apply to

the premiums due and payable up to the date such person obtained such other insurance.

One dollar (\$1.00) of the fee shall be used to record the application with the register of deeds in each county in which such person owns or has an interest in real property and one dollar (\$1.00) of the fee shall be used to release the lien.

(B) If such person's application for enrollment is denied, the two dollar (\$2.00) fee shall be refunded to the person.

SECTION 2. Tennessee Code Annotated, Section 71-5-116(a), is amended by deleting the word "No" from the beginning of the subsection, and by substituting instead the language "Except as provided in Section 1 of this act, no".

SECTION 3. Tennessee Code Annotated, Section 8-21-1001(a), is amended by adding the following language as new, appropriately designated subdivisions:

() For approved applications for TennCare coverage as an uninsured or uninsurable whose income is above the federal poverty level, creating a lien.....\$1.00

() For release of a lien in approved applications for TennCare coverage as an uninsured or uninsurable whose income is above the federal poverty level.....\$1.00

SECTION 4. Tennessee Code Annotated, Section 66-24-101(a), is amended by adding the following language as a new, appropriately designated subdivision:

() Approved applications for TennCare coverage as an uninsured or uninsurable whose income is above the federal poverty level;

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.